

TDC Blue Ribbon Committee  
April 25, 2007 Meeting Minutes Final

**Members Present:** ECOSLO- Maria Lorca; Sierra Club – Susan Harvey; Development Firm – Denis Sullivan; Land Conservancy – “BK” Bruce Richard; General Public - Christine Volbrecht; South County Advisory Council - Jesse Hill; Templeton Area Advisory Group - Nicholas Marquart; City of Paso Robles- Ron Whisenand; City of San Luis Obispo – Kim Murry; Active Agriculturalist – Charles Whitney; Subdivision Review Board, Public Works – Richard Marshall; Farm Bureau – Joy Fitzhugh

**Members Absent:** General Public – Melissa Boggs; Ag Liaison – Mark Pearce; Subdivision Review Board, Air Pollution Control Board – Aeron Arlin Genet; Existing TDC receiver site – Chad Whittstrom

**Committee Staff Present:** Karen Nall, Planning and Building, Kami Griffin, Planning and Building

**Others Present:** Dorothy Jennings, Lynda Auchinachie Co Ag Department, Anne McMahon, Kathryn Sweet, and Sue Luft

Richard Marshall opens the meeting.

Discussion: Item 1. Review of Maps

The committee reviews a map presented of all lands within the agricultural preserve or contract and a second map of residential building permit and subdivision activity for the last five years. Discussion ensues.

Maria Lorca again requests maps of sending and receiving sites, antiquated subdivision, and a map of the 2.5 and 5 mile circles from urban reserve lines. Karen Nall notes that we have those requests but are planning to provide maps which relate to receiving sites later when the group begins to discuss receiving sites.

Discussion: Item 2. Work Program B. 2. Reevaluate the allowed uses in conservation easements for sending sites and establish additional specific requirements for management.

Discussion begins regarding Section 22.24.050 A. 1. which provides a list of uses that are currently prohibited when a sending site is created and placed under a conservation easement. Kami Griffin provides an overview. Susan Harvey suggests hearing from BK and Lynda Auchinachie about what uses currently are working for site under conservation easements and suggests looking at the list currently being revised for uses allowed on lands under ag contract. Maria Lorca asked if any sending sites were sites that qualified based on natural resources. Kami Griffin responds that the Blake Lake Canyon sending site qualified under natural resources and added that this site was further restricted. BK notes that the conservation easement language is done on a case by case basis, easements are tailored per site and that this ordinance language should serve as a general template. Kim Murry questions the church uses and state law for religious uses. Kami Griffin notes that she believes it is ok to restrict religious facilities for a special program but she will check with County Counsel. Joy Fitzhugh questions whether a site can qualify for both ag and natural resources. Kami Griffin notes that it was done in the past but bonuses have been eliminated. She adds that it is most important that the holder of the easement is able to further restrict uses. Denis Sullivan notes that he believes with we should not restrict the uses allowed in ag so that the site can remain as viable as possible. Kim Murry notes she agrees but uses like churches take up huge amounts of area. Ron Whisenand agrees to keep the uses that are truly ag but uses like churches, recycling collection yards, small scale manufacturing, power plants, and waste disposal site should be eliminated. Chris Volbrecht notes that the agriculture zoning in the county allows many uses that are beyond traditional ranching and farming including wineries and tasting rooms. Maria Lorca questions whether qualifying for a sending sites requires the land to be used for food and fibers. Discussion ensues. Joy Fitzhugh comments that a lot of farmers have accessory storage and shop uses. Kami Griffin notes that in order to qualify for a sending site under ag at least 50% of the site must have Class I or II soils and the site must be 40 acres or grazing land that must have a demonstrated continuity

over 10 years and the site must be at least 320 acres with at least 100 acres suited for rangeland. Discussion ensues. Kim Murry questions what we are trying to do. She notes that there are different reasons why people are coming into the program which includes retiring antiquated subdivisions and preservation of ag or natural resources. Kim Murry notes that the result is the same for all; it is something that retires the uses allowed and transfers the residential uses elsewhere. She questions whether if the reasons people are coming into the program makes a difference in the restricted uses we want them to have. Kami Griffin agrees with this assessment. Susan Harvey notes that incentives are needed. Kami Griffin notes that bonuses were used to provide an incentive to encourage people to enter the program. Kami Griffin notes that concerns were raised and the bonuses were then eliminated. Richard Marshall notes that sending sites volunteering to restrict the sites further to gain more credits is in line with the City of SLO program. He notes that there must be a balance between the uses still allowed on the sites but not too many allowance so that the public feels that something was gained by the program. He believes that there is a perception of some sending sites that we gave too much and did not get enough. Discussion ensues regarding specific uses allowed on sending sites junk yard etc. and residential uses. Denis Sullivan questions whether there is a group consensus that there is an agreed upon list of uses. Kami Griffin notes that we are currently doing the opposite but that a check list is created that a potential sending site checks off uses that they are willing to give up on top of the uses that they are required to give up. Susan Harvey notes that she feels there are still uses on the current list that should be deleted. Discussion ensues. Richard Marshall suggests that a menu be created for sending site applications; 1) you must choose no residential development, 2) there are restricted uses by the TDC ordinance and 3) there are other items you may also wish to give up. The other uses would be worth certain values. Denis Sullivan suggests that those values be determined by an appraiser. Joy Fitzhugh notes that it would eliminate the need for bonuses because the credit values are increased. Kim Murry notes that she is concerned that values are added to uses given up that may not be a reality including nuclear power plants. Susan Harvey question what type of restrictions are placed on the sending sites for the South County program? Jesse Hill responds that they looked at each sending site differently. He adds that the community supported the site if there was public benefit. Jesse Hill notes that Laetitia and Jafrooti did not have public benefit and that the Black Lake site was supported because it did have public benefit. Kami Griffin responds that she believes that looking at uses that can be taken off the list may help with the perception problem with the program. Chris Volbrecht notes that the program has lost support so why bother going through the lists and asked how we can get people to use the program.

Richard Marshall suggests going through the list page by page. The group reviews the list and discussion ensues.

- Electric Generating Plants are discussed but no changes made because protection exists because a CUP is needed to establish the use.

- Petroleum Extraction is discussed and staff will look at the land use permit levels required. Discussion regarding accessory ag uses is discussed. Maria Lorca suggests looking at the Marin County easement language. Karen Nall responds that ours is much more detailed because it is tied to Table 2-2 and LUO definitions.

- Recycling uses are discussed including accessory uses to ag. Group votes 6 to 5 to eliminate Recycling-Collection Stations and Recycling-Scrap & Dismantling Yards.

- Small Scale Manufacturing is discussed. Kami Griffin suggests taking a portion of the definition limiting it to small scale blacksmith and welding services when accessory to another use. Karen Nall notes these are larger than home occupations but that if there is a home on the site home occupations would still be allowed.

- Religious Facilities are discussed. Staff will check on if possible to delete.

- Schools – Special Education and training. Group discusses. Kami Griffin notes this requires a CUP; no changes are made.

- Farm Support Quarters are discussed. Maria Lorca notes that residential uses are removed and then added with farm support and notes enforcement and perception problems. Kami Griffin notes that there are qualification and restrictions. BK notes that the easement holder will check.
- Temporary Events are discussed. Group concurs to add a restriction that temporary events be limited to agriculture.

Richard Marshall asks for public comment on this agenda item. Lynda Auchinachie notes that Table 2 of the Rule of Procedure be used as a reference and there is a draft available of uses that are proposed to be further restricted due to the Laird Bill. Lynda Auchinachie suggests that farm support quarters could be further restricted to limit the size and location; possibly using the secondary dwelling standards. Dorothy Jennings notes that she suggests instead of using an appraisal checklist that a qualifying checklist is used. She adds that she is glad that contracted land is being further restricted. She further added that sending sites qualifying as antiquated subdivision should be a separate category not lumped in with natural resources. Dorothy Jennings notes that she believes the group is missing items by going through the list at this pace. Sue Luft comments that she believes that the proposed changes to events ordinance needs to be looked at. Anne Mc Mahon comments she believes the process should be reversed and the conservation values should be identified then the list should be added back in without compromising the conservation values that we are trying to protect. She further adds that the clear public purpose be identified and that all parties agree.

Discussion: Item B. Approval of minutes from March 14<sup>th</sup> meeting.

Maria Lorca questions how minutes are corrected if there is an error of fact. Richard Marshall notes that it should be brought up in public comments as a correction of fact. Group approves March 14<sup>th</sup> minutes.

Richard Marshall opens the meeting to public comment for items not on the agenda.

Lynda Auchinachie question whether newly created parcel using TDC (receiver site) are allowed all uses allowed under that land use category or are they restricted to just a residence? Dorothy Jennings notes that she was impressed by the SLO City Program including the small public investment and that the public investment is leveraged 2 to 1 and 3 to 1 and low admin costs verses the cost to date of the county program including the 3 task forces to study the program. Maria Lorca notes that the March 14<sup>th</sup> meeting Mike Winn notes that the RPD ordinance referred to this committee but she believes it was killed dead and that we are referred the problem of antiquated subdivisions. Joy Fitzhugh questions whether we can get this clarified because it keeps coming up. Jesse Hill notes he appreciates the SLO City's program but is disappointed that we can't get TDC into the cities and wonders whether Charlie Whitney has had any luck with the city of Atascadero.

Richard Marshall and Joy Fitzhugh suggest that staff bring the RPD item back on a future agenda. Ron Whisenand and Richard Marshall note that Jesse Hill and Lynda Auchinachie comments will be discussed later during the receiving site discussions. Charlie Whitney notes that he has not had luck with the City of Atascadero. Kami Griffin notes that yes all uses are allowed for the created receiving site parcel. Richard Marshall asks whether the committee wants to go back to the list of uses. Maria Lorca notes that we should wait until we have the list from the Ag Rules of Procedure. Karen Nall suggests that possible a subcommittee could be created to compare the lists.

Discussion returns to Item 2.

-Farm Equipment and Supplies Sales is discussed and suggests limiting the square footage allowed.

Meeting adjourned. Next Meeting May 9, 2007 at 3:00.